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California Regional Water Quality Control Board San Diego Region

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July 16, 2010

CERTIFIED MAIL
7010 1060 0000 4952 5385

Mr. Jeff Pape
Operations Manager
Whispering Palms Community Services District
605 Third Street
Encinitas, CA 92024

In reply refer to:
272418:chenning

Dear Mr. Pape:

**SUBJECT: NOTICE OF VIOLATION NO. R9-2010-0101
WHISPERING PALMS WATER POLLUTION CONTROL FACILITY (W.P.C.F.)**

Enclosed is Notice of Violation No. R9-2010-0101 for the Whispering Palms Water Pollution Control Facility. The basis for this NOV was the monitoring data contained in the July–September 2009, October–December 2009, and January–March 2010 quarterly monitoring reports; the January–June 2009 and July–December 2009 semiannual monitoring reports; and the January–December 2009 annual monitoring report, which were submitted by the Whispering Palms Community Services District (District) in accordance with Order No. 94-80.

Please take steps to implement the follow-up actions necessary to ensure that the violations noted do not occur in the future. These violations subject the District to possible further enforcement action by the California Regional Water Quality Control Board, San Diego Region, including administrative enforcement orders requiring the District to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative assessment of civil liability in amounts of up to \$5,000 per day per violation;¹ referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

¹ Under authority of California Water Code section 13350.

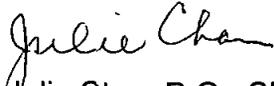
Mr. Pape

- 2 -

July 16, 2010

The next monitoring report is the April–June 2010 quarterly monitoring report and the January–June 2010 semiannual monitoring report with due dates of July 30, 2010. In the subject line of any response, please include the requested "in reply refer to:" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Ms. Cathryn Henning at (858)-636-3161 or at chenning@waterboards.ca.gov.

Sincerely,



Julie Chan P.G., Chief
Groundwater Basins Branch

JC:rwm:clh:ad

Enclosure: Notice of Violation No. R9-2010-0101

cc: Corey S. Hutchinson, Plant Operations Manager (chutchinson@dudek.com)

CIWQS:

Regulatory Measure ID	142238				
Place ID	272418				
Enforcement ID	374606				
Violations	873834	873835	873836	873837	873838

Notice of Violation No. R9-2010-0101
Whispering Palms W.P.C.F.

4. The daily maximum flow of Discharge Specification B.1, established at 0.4 million gallons per day (MGD), was exceeded on March 14, 2010 with a reported value of 0.626 MGD.

Questions pertaining to the issuance of this Notice of Violation are to be directed to Ms. Cathryn Henning at (858)-636-3161 or via e-mail at chenning@waterboards.ca.gov.
Written correspondence should be directed to the following address:

Ms. Julie Chan
Attn: Ms. Cathryn Henning
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340

Julie Chan

Julie Chan, P.G., Chief
Groundwater Basins Branch

7/16/10
DATE

